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THE WASHINGTON POST
17 AUGUST 1975

. . . And a Return to the Shadows

The Central Intelligence Agency may come out of its penitent period with its powers and privileges still intact.

The calls for reform have produced more promises than changes. Abuses have been halted, but the causes have gone uncorrected.

All the while, the CIA has been slipping back into the shadows. The scandal-weary public is tiring of sordid spy stories. The investigations on Capitol Hill are running out of steam.

Sensing that the worst is over, CIA chief William Colby is trying to put the lid back on. President Ford has joined him in warning that the investigations could impair the collection of vital intelligence.

Colby contends that the chastened spy agency won't again overreach its legal limits. There is nothing wrong with the CIA, he insists, that the right indoctrination and discipline can't cure. Once the authorities on high define the agency's mission with a little more clarity and lay down the dictum that abuses won't be tolerated, promises Colby, the CIA can be counted upon to operate within constitutional constraints.

I have talked with Colby, and I am sure he means this. In my opinion, he will work within the CIA to make it a better, more responsible agency.

Yet it was only 14 years ago that the CIA went through another upheaval. The blunder of all CIA blunders was the Bay of Pigs invasion. President Kennedy was so angry after the fiasco that he threatened "to splinter the CIA in a thousand pieces and scatter it to the winds."

Instead, he confronted the CIA's civilian watchdogs. "Something is gravely wrong inside the CIA, and I intend to find out what it is," he proclaimed. "I cannot afford another Bay of Pigs."

He personally attended many of the civilian advisory board's secret sessions and helped to fashion reforms that were imposed upon the CIA. He charged his brother, Robert, with the responsibility to see that the reforms were put into effect. The younger Kennedy shook up the agency from top to bottom.

Yet throughout the very throes of these reforms, the CIA used the Mafia to make several attempts on the life of Cuban Premier Fidel Castro. And the worst excesses of the CIA, including the illegal spying on American citizens, occurred during the next 10 years.

Now the Rockefeller Commission is prepared once again to rely on a "strengthened" civilian advisory board to make the CIA behave. The Rockefeller reformers would grant the board full powers for "assessing the quality of foreign intelligence collection."

There is something dismayingly familiar about this. Back in 1961, the board was reformed with powers, according to the old charter, to "conduct a continuing review and assessment of foreign intelligence activities."

In other words, the board has always had the powers Nelson Rockefeller so piously would now bestow upon it. He should be aware of this, since he has served on the board. He should also be familiar with its history of acquiesence to the CIA.

Periodically, CIA officials have been called before the board for questioning. The sessions have always been sober but sympathetic, with the sodality that characterizes gentlemen who share grave secrets.

Participants have assured us that they have often pressed reforms upon the CIA. But apparently, these have been more structural than substantive. The CIA officials always listen solemnly to their civilian advisors. Thereafter, the officials call meetings, issue directives, move the furniture around and otherwise create the impression that changes will be made. And then they quietly return to their same old routines.

The cozy relationship between the watchdogs and the watchees is exemplified by the board's executive secretary, Wheaton Byers. My associate, Jim Grady, asked him for the phone numbers of board members so we could solicit their comments.

Byers indignantly refused, saying we wrote a "scurrilous" column that printed classified information. Evidently, he considered the phone numbers of the members classified, since he refused to give them out. We reached several of them anyway; with rare exception, we found them as protective as Byers toward the CIA.

This seems to be the attitude of everyone close to the CIA. They agree with Colby, who wants to make it a crime for newsmen to publish classified information. The legislation he has in mind, of course, would authorize the CIA director to determine what should be classified.

This would give the nation's spy chief total censorship power over all news that comes out of the CIA. As his way of reform, in other words, he would put the emphasis not on correcting CIA abuses but on keeping them out of the newspapers.

Certainly he can argue that the CIA would not be under fire today if he had already possessed this extraordinary power. The abuses would have gone unpublished, uninvestigated and, therefore, uncorrected.

The Rockefeller Commission, if it isn't willing to go quite as far as Colby, comes perilously close. The commission wants to make it a "criminal offense for employees or former employees of the CIA willfully to divulge to any unauthorized person classified information pertaining to foreign intelligence or the collection thereof obtained during the course of their employment."

If the CIA is to regain the trust of the people, it must allow more, not less, light on its activities. No other nation has been as successful as the United States in maintaining a free society. It requires a powerful spotlight to expose the abuses that threaten our freedom.

Footnote: The Rockefeller Commission has also come out, four sqaure, against domestic spying. But the recommendation leaves a handy loophole which permits a little benign spying if there should be "a clear danger to Agency facilities, operations or personnel." Of course, this was precisely the rationale used by the CIA to begin its illegal domestic spying in the first place. What the CIA needs, clearly, is a tough new charter spelling out the rights and wrongs of intelligence operations.